

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

WILLIAM V. LANGFITT III, individually, and  
as executor of the Estate of the William V.  
Langfitt, IV, and PATRICIA E. LANGFITT,  
individually,

Plaintiffs,

v.

PIERCE COUNTY, COLBY EDWARDS and  
"JANE DOE" EDWARDS,

Defendants.

NO.

**PLAINTIFFS' COMPLAINT FOR  
DAMAGES UNDER 42 USC § 1983**

**JURY TRIAL DEMAND**

**DEMAND FOR A JURY TRIAL**

The plaintiffs, by and through undersigned counsel, respectfully request a jury trial against the defendants in this cause of action. This cause of action is based upon the following:

COMPLAINT FOR DAMAGES

**I. NATURE OF ACTION**

1.1 Introduction. This is a civil rights action brought by plaintiffs for excessive force. This case arises from claims of excessive force, false arrest, unlawful seizure, tort of outrage, negligence and violation of RCW 49.60.

Plaintiff also bring this action pursuant to 42 USC §1983 and the Fourth and Fourteenth Amendment. Fourteenth Amendments are also brought against the Defendants and their marital community.

**II. PARTIES**

2.1 Plaintiff, William V. Langfitt, III, is the executor of the Estate of William V. Langfitt, IV and at all times relevant was father of William V. Langfitt, IV. William V. Langfitt, III, currently resides in the State of Oregon.

2.2 Plaintiff Patricia E. Langfitt is the mother of William V. Langfitt, IV and currently resides in the State of Oregon.

2.3 Defendant Pierce County/Pierce County Sheriff's Office. Defendant Pierce County (County) is a municipality within the State of Washington and employed the Pierce County sheriff and/or police officers that responded to the March 16, 2018 incident involving William V. Langfitt, IV. The civil rights violations delineated herein were proximately caused by its customs, policies and usages. Here, the County is liable for intentional torts or negligence which goes further than the theory of *respondent superior* if the employee was acting in the scope and course of employment. Pierce County's customs and deputies failing

1 to de-escalate the situation and shooting an unarmed person to death meets the standard for a  
2 Monell claim for lack of training. A deputy shooting and killing an unarmed individual is  
3 likely reflective of a lack of training and or/supervision that amounts to deliberate  
4 indifference. Notably, Billy Langfitt IV was the second person shot and killed by the  
5 defendant deputy over a twelve-month timespan. It is believed that there was no remedial  
6 training or sanction for either of the shootings. Whether the County had proper training,  
7 procedure, and policies in place for its deputies on how to handle similar situations prior to  
8 resorting to shooting and killing unarmed citizens who are experiencing mental health trauma  
9 will be proven after discovery is concluded and at trial.

11 2.5 Defendant Colby Edwards. At all times relevant, Colby Edwards was  
12 employed as law enforcement by the Pierce County and Pierce County Sheriff's Office and  
13 was acting within the course and scope of his employment with the Pierce County and under  
14 color of law. All of Colby Edwards' acts alleged herein was taken for the benefit for the  
15 Pierce County and his marital community.

### 18 III. JURISDICTION AND VENUE

19 3.1 Jurisdiction. Jurisdiction in this Court is based on the existence of a federal  
20 question pursuant to 28 USC §1331 and 1343, in that Plaintiffs assert claims for deprivation  
21 of civil rights under 42 USC §1983 for violation of the Fourth Amendments to the United  
22 States Constitution.

24 3.2 Venue. Venue for this action is appropriate in this Court because the events  
25 giving rise to the claims asserted herein occurred in the Seattle Division of this district and  
26

1 because the plaintiffs and defendants reside in this district.

2 **IV. FACTS**

3 4.1 On March 16, 2018, William V. Langfitt, IV was repeatedly shot by Pierce  
4 County Sheriff Deputy Colby Edwards.

5 4.2 William V. Langfitt, IV died as a result of the multiple gunshot wounds that he  
6 received from the March 16, 2018 shooting.

7 4.3 William V. Langfitt IV was unarmed and did not possess any dangerous  
8 weapons at the time that he was killed by Deputy Edwards.

9 4.3 Prior to the shooting, William V. Langfitt was distraught as a result of the  
10 death of his grandfather.

11 4.4 Naomi Powers called 911 and told dispatch her friend was having a mental  
12 health crisis and she needed someone to help her get William V. Langfitt, IV, to the hospital.

13 4.6 While Naomi was on the phone with 911 she saw William V. Langfitt, IV, in  
14 the street barefoot with nothing but shorts and tee shirt on. He was holding nothing but a  
15 picture of his grandfather.

16 4.7 Defendant Colby Edwards was working as Pierce County Sheriff officer on  
17 March 16, 2018.

18 4.8 Defendant Colby Edwards arrived on the scene, flung his door open and  
19 immediately drew his firearm.

20 4.9 Defendant Colby Edwards did not attempt to negotiate or de-escalate the  
21 situation with William V. Langfitt, IV who was experiencing a mental health crisis.

22 4.12 Defendant Colby Edwards had his gun trained on William V, Langfitt, IV.

4.15 William V. Langfitt, IV never touched Defendant Colby Edwards.

9           4.17   The name William V. Langfitt has been in the Langfitt family for several  
10           generations. William V. Langfitt IV did not have any children and the name died with him.

4.19 William V. Langfitt IV's parents relied on him significantly. They are absolutely heartbroken by the loss of their son.

5.1 First Cause of Action. By virtue of the facts set forth above, the defendants are liable to all plaintiffs for damages for negligence. The claim for negligence arises out of the duty owed to decedent William V. Langfitt, IV, by the County and by extension the defendant deputy who shot and killed him. The duty arose when the Deputy responded to the scene and chose to interact with William V. Langfitt IV. The duty is breached when the officers chose to shoot an unarmed William V. Langfitt, IV. But for the negligent action of the Deputy and their employer the County, William V. Langfitt, IV, would be alive. Thus, the elements of negligence are met. In Washington, the public duty doctrine defines circumstances under which a governmental entity may owe a statutory or common law duty to a particular member

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1 of the public, namely, (i) legislative intent, (ii) failure to enforce, (iii) the rescue doctrine, or  
 2 (iv) a special relationship.

3 5.2 Second Cause of Action. By virtue of the facts set forth above, the defendants  
 4 are liable to all plaintiffs for the tort of outrage. William V. Langfitt, III as a father and  
 5 executor of the estate of William V. Langfitt IV, claims outrage based the fact that Defendants  
 6 officer Colby Edwards shot an unarmed William V. Langfitt IV multiple times, he  
 7 experienced significant pain and then died. Deputy Colby made no attempt to peacefully  
 8 address the needs of a person that was experiencing a mental health episode. Instead,  
 9 knowing it could kill him, Deputy Colby pointed his loaded weapon at a distressed and  
 10 unarmed William V. Langfitt IV and fired at him repeatedly causing emotional distress to  
 11 extreme pain.  
 12

13 5.3 Third Cause of Action. By virtue of the facts set forth above, the defendants  
 14 are liable to all plaintiffs for false arrest.  
 15

16 5.4 Fourth Cause of Action. By virtue of the facts set forth above, the defendants  
 17 are liable to all plaintiffs for unlawful seizure.

18 5.5 Fifth Cause of Action. Per RCW 49.60.030, the defendants are liable to the  
 19 plaintiffs for violation of the plaintiffs' civil rights to the right to be free from discrimination  
 20 because of race, creed, color, national origin, sex, honorably discharged veteran or military  
 21 status, sexual orientation, or the presence of any sensory, mental, or physical disability or the  
 22 use of a trained dog guide or service animal by a person with a disability is recognized as and  
 23 declared to be a civil rights.  
 24

25 5.6 42.U.S.C §1983. By virtue of the facts set forth above, all defendants are liable  
 26

1 for compensatory and punitive damages for deprivation of civil rights of plaintiff William V.  
2 Langfitt, III and Patricia E. Langfitt, guaranteed by the Fourteenth Amendments of the  
3 constitution of the United States and 42 USC §1983 to be free from. their liberty interest in a  
4 familial relationship with their son, William V. Langfitt, IV, without due process of law.  
5 Further, the force used by Defendant Colby was excessive in violation of 42 USC § 1983.  
6

7 VII. CONCLUSION

8 WHEREFORE, Plaintiffs pray for the following relief:

- 9 1. Compensatory damages and punitive damages in an amount to be proven at  
10 trial. Plaintiffs seek punitive damages against all defendants;  
11 2. For reasonable attorneys' fees and costs; and  
12 3. For such other and further relief as the Court deems just and equitable.  
13

14 Dated this 17<sup>th</sup> day of February, 2020.

15 VALDEZ LEHMAN, PLLC

16 /s/ Jesse Valdez

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